

CAUSE NO. DC-14-02545-J

DAVID TYLER MOSS, § IN THE DISTRICT COURT
§
Plaintiff, §
§
vs. § DALLAS COUNTY, TEXAS
§
MARKO PRINCIP, §
§
Defendant. § 191st JUDICIAL DISTRICT

DEFENDANT'S ORIGINAL ANSWER**TO THE HONORABLE COURT:**

Defendant Mark Princip files this, his Original Answer to Plaintiff's Original Petition in the above-styled and numbered cause, and would respectfully show the Court the following:

I. GENERAL DENIAL

1. Defendant generally denies every allegation in Plaintiff's Original Petition as provided for under Rule 92 of the Texas Rules of Civil Procedure and demands strict proof thereof.

II. AFFIRMATIVE DEFENSES

2. Plaintiff's claims are barred, in whole or in part, by the equitable doctrines of unclean hands, waiver, laches, ratification, and estoppel.

3. Plaintiff's claims are barred, in whole or in part, for failure of consideration.

4. Plaintiff's claims are barred, in whole or in part, due to the doctrine of mistake.

5. Plaintiff's claims are barred, in whole or in part, by the doctrine of accord and satisfaction.

6. Plaintiff's claims are barred, in whole or in part, because Plaintiff failed to mitigate his damages.



7. Plaintiff's claims are barred, in whole or in part, because to the extent a partnership existed between the Plaintiff and the Defendant, that partnership was terminated and/or dissolved.

WHEREFORE, Defendant prays that upon a final disposition of this cause, Plaintiff take nothing by its action herein, that Defendant be discharged with its costs, and that Defendant be awarded such other and further relief to which it may show itself justly entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause in accordance with Rule 21a, Texas Rules of Civil Procedure, on this 14th day of April, 2014.

/s/ Sara Romine